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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4847 OF 2007

The State of Maharashtra & ors. ... Petitioners

V/s

Shri Prakash Tulshiram Salunke ... Respondent

Mr. S.K. Chinchalikar, A.G.P. for the petitioners.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 7TH AUGUST, 2007.

P.C.:

1. The petition challenges the order of the Industrial Court dated 17.9.2001 and of the Labour Court dated 7.7.2000.

2. The only explanation given by the petitioners for approaching this Court after six years of the order of the Industrial Court is that, the decision was to be taken as to whether the order should be challenged in this Court. The Law & Judiciary Department accorded sanction to file the petition in October, 2006. After this, the petitioners required time to collect records. This is the only explanation given by the petitioners in

para 4 of the petition. In my view, such a explanation cannot be accepted by the Court after six years. It is expected that Government would take a decision expeditiously whether to challenge the orders of the Labour Court in the High Court under Art. 227 of the Constitution. If the Government wishes to sleep over its rights for six years, there is no reason to interfere after such an inordinate and unexplained delay.

2. Petition rejected.

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